

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

MAY 13 2015

David J. Bradley, Clerk

United States of America

v.

Virginia Lee Zuniga

YOB: 1992

USC

Case No. *M-15-0753-M**Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 12, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section*

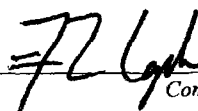
21 USC 841 (a)(1) and 843(b)

Offense Description

an offense described as follows: Knowingly and unlawfully possesses with the intent to distribute a controlled substance listed under Schedule I Title II of the Controlled Substances Act, to wit approximately 14 lbs 14 oz (6.75 kilos) of marijuana and knowingly used a communication facility, the US Postal Service, in facilitating the commission of an act constituting a felony. Knowingly and unlawfully possesses with the intent to distribute a controlled substance listed under Schedule II Title II of the Controlled Substances Act, to wit, approximately 3.2 oz (90.72 grams) of Cocaine.

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.*OK to file. [signature]**Complainant's signature*

Fernando L. Cepeda, US Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/13/2015*8:33 am**Judge's signature*

City and state:

McAllen, TX

Peter E. Ormsby, US Magistrate Judge

Printed name and title

COUNTY OF HIDALGO

STATE OF TEXAS

*
*
*

M-15-0753-M

I, Fernando L. Cepeda, having been duly sworn, do hereby depose and state:

1. I am a United States Postal Inspector, currently assigned to the Houston Division Office in McAllen, Texas. As part of my duties as a Prohibited Mailing Specialist, I investigate the use of the U. S. Mails to illegally mail and receive controlled substances and drug trafficking instrumentalities, in violation of Title 21, United States Code, Sections 841 (a) (1), 843 (b), 846, 853 (a), and 881 (a) (6). I have participated in investigations, which have resulted in the arrest of individuals who have received and distributed controlled substances, as well as the seizure of the illegal drugs.

2. Investigations by Postal Inspectors and other federal, state and local law enforcement officials indicate that the area of South Texas, sometimes referred to as "the Valley," is a significant crossing point for illegal drugs into the United States of America. The U. S. Postal Service is one of the means used for transporting both the illegal controlled substances and the money used to pay for those illegal controlled substances. Numerous parcels found to contain illegal controlled substances have been mailed from the Texas Rio Grande Valley for delivery in other cities in the United States.

3. The McAllen Domicile conducts a continuous drug interdiction program in an attempt to decrease the amount of narcotics being shipped via the US Mail. Based on my training and experience as a narcotics investigator, I know that it is common for people who traffic narcotics to use Parcel Post, Priority or Priority Mail Express.

4. This Affidavit is made in support of a criminal complaint filed against Virginia Lee Zuniga. The information set forth in this Affidavit is based on your Affiant's personal knowledge and/or information provided to Affiant by other Postal Inspectors. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that Virginia Lee Zuniga has committed violations of federal law.

5. On May 12, 2015, your Affiant observed a Hispanic female, later identified as Virginia Lee Zuniga, (hereinafter referred to as Zuniga) in the customer line at the McAllen Main Post Office located at 620 E Pecan Boulevard, McAllen, TX 78501. Zuniga was in possession of a cardboard box that was similar in shape and appearance of other boxes previously seized by Postal Inspectors that were found to contain a controlled substance.

6. Upon mailing the aforementioned parcel, Postal Inspectors approached Zuniga, as she was exiting the main lobby of the McAllen Main Post Office, and asked her if she had just mailed a cardboard box addressed to Puerto Rico. Zuniga denied mailing a box to Puerto Rico. When Postal Inspectors asked if they could see her receipt, Zuniga provided her receipt which indicated she had just mailed a Priority Mail 3-Day parcel to Toa Baja, PR

00949. Zuniga was escorted to the U.S. Postal Inspection Service Office for further investigation.

7. Zuniga provided Postal Inspectors with her name and personal identifying information which did not match the listed name on the return address for the box she was observed mailing. Furthermore, a search of law enforcement databases and postal records could not associate the return addressee, Alicia Caraballo, to 1306 Fig Avenue, Pharr, TX 78577.

8. After Zuniga was advised of her constitutional rights and claiming she understood her rights, she requested to speak with an attorney.

9. Postal Inspectors applied for and were granted a federal search warrant (M-15-0753-M) for the parcel Zuniga was observed mailing to Puerto Rico and described as follows:

Addressee:	Osvaldo Caraballo Picorel
	Toa Baja, PR 00949
Return Addressee:	Alicia Caraballo
	Pharr, TX 78577
Postmarked:	May 12, 2015
Weight:	18 Lbs. 14.8 Oz.
Office of Mailing:	McAllen, TX 78501

10. Upon executing the aforementioned search warrant, Postal Inspectors discovered one plastic wrapped bundle weighing approximately 14 lbs. 14 oz., containing a green leafy substance which field tested positive for marijuana.

11. Pursuant to Zuniga's arrest and in accordance with U.S. Postal Inspection Service policy, a 2015 Dodge Dart bearing Texas license plates FBL 0939 and driven to the McAllen Main Post Office by Zuniga was inventoried prior to being towed for safekeeping.

12. During the inventory, Postal Inspectors discovered on the driver's side floor board, a brown paper bag containing a small cosmetic bag. Inside the cosmetic bag were ten (10) individually plastic wrapped 'bindles' of a white powdery substance which field tested positive for cocaine. The approximate weight for the 10 'bindles' was 3.2 oz.

13. Based on the facts set forth in this Affidavit, your Affiant believes there is sufficient probable cause for the arrest of Virginia Lee Zuniga, for violation of Title 21, United States Code, Section 841(a) (1) and 843 (b).



U.S. Postal Inspector